REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-13 are presently active in this case. The present Amendment amends Claims 1, 3-5, 7-8, and 12-13 without introducing any new matter.

The outstanding Office Action rejected Claims 1-3, 5-8, and 10-11 under 35 U.S.C. § 103(a) as unpatentable over Jones et al. (Canadian Patent Application, CA 2,321,462, hereinafter "Jones") in view of Fingerman et al. (U.S. Patent No. 7,143,430, hereinafter "Fingerman"). Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman, in further view of Perlman (U.S. Patent Application Publication No. 2002/0184637.) Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman, in further view of Ellis et al. (U.S. Patent Application Publication No. 2003/0149988, hereinafter "Ellis".) Claim 12 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman, in further view of Slotznick (U.S. Patent No. 7,058,356.) Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman, in further view of Mensch (U.S. Patent Application Publication No. 2002/0133824).

First, Applicants wish to thank Examiners Koenig and Thomas for the courtesy of an interview granted to Applicants' representative Nikolaus P. Schibli, Ph.D., Reg. No. 56,994, on January 30, 2009, at which time the outstanding issues in this case were discussed. Arguments were presented regarding patentability of independent Claim 1 and dependent Claim 4 by pointing out that the user is not identified by the network address but a personal identification (Claim 1), and that the cryptographic keys are only sent to authorized users. (Claim 4). The Examiners indicated that in light of the arguments, they would reconsider the outstanding grounds for rejection upon formal submission of a response.

In response, independent Claim 1 is amended to recite that "the recording instructions including a user identification of a mobile terminal." These features find non-limiting support in Applicants' disclosure as originally filed, for example at p. 8, ll. 10-12, and at p. 9, ll. 9-14. Moreover, independent Claim 1 is further amended to recite "a playback module configured to transmit the television signals stored in the digital format via the telecommunication network for playback to a display terminal associated to the user, the display terminal being identified by a network address that is linked to the user identification assigned to the respective stored television signals of a user database." These features also find non-limiting support in the disclosure, for example at p. 9, ll. 9-11, and at p. 10, ll. 16-21, and ll. 24-29. In addition, some of the dependent claims area also amended to correspond to the changes of independent Claim 1. Again no new matter has been added.

In addition, dependent Claim 4 is amended to recite "an access control module . . . configured to transmit the generated access rights . . . to authorized users only." These features find non-limiting support in Applicants' specification from page 10, line 24, to page 11, line 6. No new matter has been added.

In response to the rejection of Claim 1 under 35 U.S.C. § 103(a), in light of the amendments to the claims, Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants' Claim 1 is directed to a system for recording and playback of television signals from a plurality of television channels. The system includes, *inter alia*: an instruction unit connected to a controlling central unit, configured to receive and store recording instructions from users via the telecommunication network, *the recording instructions including a user identification of a mobile terminal*, a channel number, and recording timing, and configured to instruct the controlling central unit to select and store the television signals in the digital format based on the recording instructions including

information on a television channel specified by the channel number and the recording

timing, and configured to assign the user identification to the selected television signals, and

a playback module *configured to transmit the television signals stored in the digital format*

via the telecommunication network for playback to a display terminal associated to the

user, the display terminal being identified by a network address that is linked to the user

identification assigned to the respective stored television signals of a user database.

The features of Applicants' Claim 1 allow the identification of a user by his mobile

terminal, for example by using the international mobile subscriber identity IMSI that is

associated to him, or his call number, and can transmit digital television signals to network

terminals that are associated to the user. The mobile terminal used for identification and the

network terminals that display the digital television signals need not be the same terminals.

Turning now to the applied references, Jones is directed to a digital interactive TV

delivery system to transmit multimedia on-demand over the internet to different users. (Jones,

Abstract.) Jones explains that the on-demand component can receive a record request from a

subscriber and stores the multimedia content in response to the record request. (Id., Abstract,

ll. 17-20.) The record request may include information on the broadcast channel, and the time

information to identify the multimedia content. (Id., and starting at p.25, l. 23.) Jones

explains that the subscriber can access the TV delivery system by his personal computer 30,

and the multimedia is made available to the subscriber via his PC 30. (Id. p. 9, ll. 9-13, and p.

10, ll. 22-24).

However, the cited passages of Jones tail to teach all the features of Applicants'

Claim 1. In particular, Jones fails to teach:

> the recording instructions including a user identification of a mobile terminal
> . . . and a playback module configured to transmit the television signals . . .
> via the telecommunication network for playback *to a display terminal*
> *associated to the user, the display terminal being identified by a network*

> ***address that is linked to the user identification assigned to the respective
> stored television signals of a user database.***

(Claim 1, portions omitted, emphasis added.) In other words, Applicants' Claim 1 requires

(a) that the user is identified by user identification of his mobile terminal, (b) that television

signals are transmitted to a display terminal associated with the user, and (c) that the display

terminal is identified by network addresses that are linked to the user identification.

Jones does not teach such a feature, and merely explains that a subscriber can access a

system manager DTVM, and that the subscriber uses an Interactive Program Guide (IPG) on

his PC 30 to program access to the demanded multimedia, (Jones, p. 14, ll. 9-18) and a data

delivery component 60 delivers multimedia to the same device of the subscriber, by using PC

30, with the associated television 32, or set top box 22. (Jones, p. 16, ll. 14-30.) Moreover,

Jones explains that an IP address of a client playback device can be recovered and stored, and

can be used to validate a request. (Jones, p. 39, ll. 27-30.) Accordingly, Jones fails to teach

that the user is identified by user identification of his mobile terminal, and that television

signals are transmitted to a display terminal associated with the user identified by network

addresses that are linked to the user identification, as required by Applicants' amended,

independent Claim 1.

The applied reference Fingerman, used in the context of the 35 U.S.C. § 103(a)

rejection of independent Claim 1, fails to remedy the deficiencies of Jones, even if we assume

that the combination of these references is proper.

Fingerman is directed to a method for receiving requests at a media delivery system

50a-50d for a storage of time schedule media programs from clients 11, 13, 15, and 16 over

the Internet 17, and the delivery of the requested media programs to those clients 11, 13, 15,

and 16. (Fingerman, Abstract, Fig. 1, col. 5, ll. 12-15, ll. 37-49.) Fingerman explains that a

client e.g. 15, can contact a client server 49 to become a member through a URL of the

service provider's home page. (Id., col. 7, ll. 7-12.) Thereafter, the client 15 can enter the network connection type of his connection. (Id., col. 7, ll. 26-29.) Stored media programs are then played-back by a playback server to provide streamed video to the client 15, and a playback URL can be delivered with a message. (Id. col. 9, ll. 45-67).

Therefore, the cited passages of Fingerman also fails to teach that the user is identified by user identification of his mobile terminal, and that television signals are transmitted to a display terminal associated with the user identified by network addresses that are linked to the user identification, as required by Applicants' independent Claim 1. In Fingerman, the same client makes the requests and receives the playback URL to stream the media programs from the playback server.

Therefore, the cited passages of the applied references Jones and Fingerman, taken in any proper combination, fail to teach every feature recited in Applicants' Claim 1, so that Claims 1-13 are believed to be patentably distinct over Jones and/or Fingerman. Accordingly, Applicants respectfully traverse, and request reconsideration of the rejection based on these references.

Moreover, Applicants respectfully submit that the applied references Perlman, Slotznick, and Ellis, these references used by the pending Office Action to form 35 U.S.C. § 103(a) rejections of the dependent claims, fail to remedy the deficiencies of Jones and/or Fingerman, even if we assume that any combination of these references is proper.

In addition, Applicants respectfully traverse the rejection of the features of dependent Claim 4. Dependent Claim 4 requires, *inter alia*, "an access control module . . . configured to transmit the generated access rights . . . to authorized users only." The applied reference Perlman fails to teach such a feature, because in Perlman, decryption keys 1025 are broadcasted to the conditional access modules CA of all the users. (Perlman, p. 5, ¶¶ [0057]-

[0059], Fig. 10.) Accordingly, Applicants respectfully request reconsideration of this rejection.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-13 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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